



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5295

Introduced 1/25/2006, by Rep. Rosemary Mulligan

SYNOPSIS AS INTRODUCED:

30 ILCS 105/13.2

from Ch. 127, par. 149.2

Amends the State Finance Act. Provides that if a line item appropriation is made for the purpose of funding community integrated living arrangements (CILAs), then no transfers may be made from that item. Further provides that such appropriations may be expended solely to fund CILAs. Effective July 1, 2006.

LRB094 17806 RCE 53106 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by changing
5 Section 13.2 as follows:

6 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

7 Sec. 13.2. Transfers among line item appropriations.

8 (a) Transfers among line item appropriations from the same
9 treasury fund for the objects specified in this Section may be
10 made in the manner provided in this Section when the balance
11 remaining in one or more such line item appropriations is
12 insufficient for the purpose for which the appropriation was
13 made.

14 (a-1) No transfers may be made from one agency to another
15 agency, nor may transfers be made from one institution of
16 higher education to another institution of higher education.

17 (a-2) Except as otherwise provided in this Section,
18 transfers may be made only among the objects of expenditure
19 enumerated in this Section, except that no funds may be
20 transferred from any appropriation for personal services, from
21 any appropriation for State contributions to the State
22 Employees' Retirement System, from any separate appropriation
23 for employee retirement contributions paid by the employer, nor
24 from any appropriation for State contribution for employee
25 group insurance. During State fiscal year 2005, an agency may
26 transfer amounts among its appropriations within the same
27 treasury fund for personal services, employee retirement
28 contributions paid by employer, and State Contributions to
29 retirement systems; notwithstanding and in addition to the
30 transfers authorized in subsection (c) of this Section, the
31 fiscal year 2005 transfers authorized in this sentence may be
32 made in an amount not to exceed 2% of the aggregate amount

1 appropriated to an agency within the same treasury fund.

2 (a-3) Further, if an agency receives a separate
3 appropriation for employee retirement contributions paid by
4 the employer, any transfer by that agency into an appropriation
5 for personal services must be accompanied by a corresponding
6 transfer into the appropriation for employee retirement
7 contributions paid by the employer, in an amount sufficient to
8 meet the employer share of the employee contributions required
9 to be remitted to the retirement system.

10 (a-4) If a line item appropriation is made for the purpose
11 of funding community integrated living arrangements, then no
12 amount may be transferred from that item. Moreover, such
13 appropriations may be expended solely for the purpose of
14 funding community integrated living arrangements.

15 (b) In addition to the general transfer authority provided
16 under subsection (c), the following agencies have the specific
17 transfer authority granted in this subsection:

18 The ~~Illinois~~ Department of Healthcare and Family Services
19 ~~Public Aid~~ is authorized to make transfers representing savings
20 attributable to not increasing grants due to the births of
21 additional children from line items for payments of cash grants
22 to line items for payments for employment and social services
23 for the purposes outlined in subsection (f) of Section 4-2 of
24 the Illinois Public Aid Code.

25 The Department of Children and Family Services is
26 authorized to make transfers not exceeding 2% of the aggregate
27 amount appropriated to it within the same treasury fund for the
28 following line items among these same line items: Foster Home
29 and Specialized Foster Care and Prevention, Institutions and
30 Group Homes and Prevention, and Purchase of Adoption and
31 Guardianship Services.

32 The Department on Aging is authorized to make transfers not
33 exceeding 2% of the aggregate amount appropriated to it within
34 the same treasury fund for the following Community Care Program
35 line items among these same line items: Homemaker and Senior
36 Companion Services, Case Coordination Units, and Adult Day Care

1 Services.

2 The State Treasurer is authorized to make transfers among
3 line item appropriations from the Capital Litigation Trust
4 Fund, with respect to costs incurred in fiscal years 2002 and
5 2003 only, when the balance remaining in one or more such line
6 item appropriations is insufficient for the purpose for which
7 the appropriation was made, provided that no such transfer may
8 be made unless the amount transferred is no longer required for
9 the purpose for which that appropriation was made.

10 (c) The sum of such transfers for an agency in a fiscal
11 year shall not exceed 2% of the aggregate amount appropriated
12 to it within the same treasury fund for the following objects:
13 Personal Services; Extra Help; Student and Inmate
14 Compensation; State Contributions to Retirement Systems; State
15 Contributions to Social Security; State Contribution for
16 Employee Group Insurance; Contractual Services; Travel;
17 Commodities; Printing; Equipment; Electronic Data Processing;
18 Operation of Automotive Equipment; Telecommunications
19 Services; Travel and Allowance for Committed, Paroled and
20 Discharged Prisoners; Library Books; Federal Matching Grants
21 for Student Loans; Refunds; Workers' Compensation,
22 Occupational Disease, and Tort Claims; and, in appropriations
23 to institutions of higher education, Awards and Grants.
24 Notwithstanding the above, any amounts appropriated for
25 payment of workers' compensation claims to an agency to which
26 the authority to evaluate, administer and pay such claims has
27 been delegated by the Department of Central Management Services
28 may be transferred to any other expenditure object where such
29 amounts exceed the amount necessary for the payment of such
30 claims.

31 (c-1) Special provisions for State fiscal year 2003.
32 Notwithstanding any other provision of this Section to the
33 contrary, for State fiscal year 2003 only, transfers among line
34 item appropriations to an agency from the same treasury fund
35 may be made provided that the sum of such transfers for an
36 agency in State fiscal year 2003 shall not exceed 3% of the

1 aggregate amount appropriated to that State agency for State
2 fiscal year 2003 for the following objects: personal services,
3 except that no transfer may be approved which reduces the
4 aggregate appropriations for personal services within an
5 agency; extra help; student and inmate compensation; State
6 contributions to retirement systems; State contributions to
7 social security; State contributions for employee group
8 insurance; contractual services; travel; commodities;
9 printing; equipment; electronic data processing; operation of
10 automotive equipment; telecommunications services; travel and
11 allowance for committed, paroled, and discharged prisoners;
12 library books; federal matching grants for student loans;
13 refunds; workers' compensation, occupational disease, and tort
14 claims; and, in appropriations to institutions of higher
15 education, awards and grants.

16 (c-2) Special provisions for State fiscal year 2005.
17 Notwithstanding subsections (a), (a-2), and (c), for State
18 fiscal year 2005 only, transfers may be made among any line
19 item appropriations from the same or any other treasury fund
20 for any objects or purposes, without limitation, when the
21 balance remaining in one or more such line item appropriations
22 is insufficient for the purpose for which the appropriation was
23 made, provided that the sum of those transfers by a State
24 agency shall not exceed 4% of the aggregate amount appropriated
25 to that State agency for fiscal year 2005.

26 (d) Transfers among appropriations made to agencies of the
27 Legislative and Judicial departments and to the
28 constitutionally elected officers in the Executive branch
29 require the approval of the officer authorized in Section 10 of
30 this Act to approve and certify vouchers. Transfers among
31 appropriations made to the University of Illinois, Southern
32 Illinois University, Chicago State University, Eastern
33 Illinois University, Governors State University, Illinois
34 State University, Northeastern Illinois University, Northern
35 Illinois University, Western Illinois University, the Illinois
36 Mathematics and Science Academy and the Board of Higher

1 Education require the approval of the Board of Higher Education
2 and the Governor. Transfers among appropriations to all other
3 agencies require the approval of the Governor.

4 The officer responsible for approval shall certify that the
5 transfer is necessary to carry out the programs and purposes
6 for which the appropriations were made by the General Assembly
7 and shall transmit to the State Comptroller a certified copy of
8 the approval which shall set forth the specific amounts
9 transferred so that the Comptroller may change his records
10 accordingly. The Comptroller shall furnish the Governor with
11 information copies of all transfers approved for agencies of
12 the Legislative and Judicial departments and transfers
13 approved by the constitutionally elected officials of the
14 Executive branch other than the Governor, showing the amounts
15 transferred and indicating the dates such changes were entered
16 on the Comptroller's records.

17 (Source: P.A. 92-600, eff. 6-28-02; 92-885, eff. 1-13-03;
18 93-680, eff. 7-1-04; 93-839, eff. 7-30-04; revised 12-15-05.)

19 Section 99. Effective date. This Act takes effect July 1,
20 2006.